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Date:	October 24, 2006	Total Pages:	10 (including cover sheet)
To:	U.S. Patent Office		
Attn:	Examiner D. WHITE - Art Unit 3745		RECEIVED CENTRAL FAX CENTER
Facsimile No.:	(571) 273-8300		OCT 24 2006
From:	Thomas E. Kocovsky, Jr.		
Re:	Ser. No. 10/517,113; Our Ref.: LYBZ 2 00090		

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## COMMENTS

10 pp  
1 pp Fax Cover Sheet  
1 pp Form PTO-2028  
2 pp Amendment Transmittal Letter(s)  
6 pp Amendment B

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OCT 24 2006

## AMENDMENT TRANSMITTAL LETTER

Attorney Docket No. LYBZ 2.00090

Serial No.: 10/517,113	Filed: December 3, 2004	Examiner: D. WHITE
Group Art Unit: 3745 Confirmation: 3128	Invention: EVACUATING DEVICE	

To the Commissioner For Patents:

Transmitted herewith is an AMENDMENT B in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	7	Minus	20	-	\$ 50	\$ 0.00
Indep. Claims	4	Minus	3	1	\$200	\$ 200.00

- ☐ No additional claims fee is required.
- ☒ An additional fee in the amount of \$ 200.00 is due for an additional independent claim. Payment is authorized to be charged to a Credit Card. The applicants enclose an appropriate form PTO-2038 for this purpose.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.
- ☒ Applicants hereby request any additional extensions of time that may be necessary and authorize the extension of time fees to be charged to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLPDate: 24 Oct 2006

Thomas H. Kocovsky, Jr.  
Reg. No. 28,383  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2518  
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## CERTIFICATE OF FAXING

I hereby certify that these AMENDMENT TRANSMITTAL LETTER (x2); AMENDMENT B; and PTO-2038 in connection with U.S. Patent Application Serial No. 10/517,113 are being transmitted to facsimile number (571) 273-8300 on this 24 day of October, 2006.

By: Nitary Minichuk

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Attorney Docket No. LYBZ 2 00090

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By: Colary McKee

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	Examiner: D. WHITE
R. ADAMIETZ	)	
Serial No.: 10/517,113	)	Art Unit: 3745
Filed: December 3, 2004	)	Confirmation: 3128
For: EVACUATING DEVICE	)	
Date of Last Office Action:	)	
July 28, 2006	)	
Attorney Docket No.:	)	Cleveland, OH 44114
LYBZ 2 00090	)	October 24, 2006

AMENDMENT B

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment is responsive to the Office Action of July 28, 2006.

Amendments to the claims are reflected in the listing of claims which begins on page 2.

Remarks begin on page 5.

Certificate of Faxing

I certify that this AMENDMENT B in connection with Ser. No. 10/517,113 is being  
☒ transmitted to facsimile number 571/273-8300 under 37 C.F.R. § 1.8 on the date indicated below.

Date October 24, 2006	Signature <i>Hilary M. McNulty</i>
	Printed Name Hilary M. McNULTY

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